



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION OF:

Winston J. Stewart et al.

Application Serial No.: 09/727,466

Application Filing Date: December 4, 2000

Title: **TWISTED PAIR COMMUNICATIONS
LINE SYSTEM**

Attorney Docket: 2540-0375

Group Art Unit: 2611

Examiner: TSE, Young Toi

Date: September 29, 2006

Confirmation No.: 7789

INFORMATION DISCLOSURE STATEMENT

Hon. Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. § 1.56, the attention of the Patent and Trademark Office is hereby directed to the reference(s) listed on the attached PTO-1449. One copy of each non-U.S. Patent reference is attached. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the reference(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

Most of the documents identified herein were brought to the Applicant's attention during the course of litigation (now concluded) entitled Avocent Huntsville v. Clearcube (N.D. Alabama) in which two of the present parent patents (6,150,997 and 6,184,919) were asserted as infringed. Also included is the current Markman Order entered during that proceeding.

The submission of any document herewith, which is not a statutory bar, is not intended that any such document constitutes prior art against any of the claims of the present application or is considered to be material to patentability as defined in 37 C.F.R. § 1.56(b). Applicants do not waive any rights to take any action

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In re Application of: Winston J. Stewart et al.

Application S.N.: 09/727,466

Page 2 of 2

which would be appropriate to antedate or otherwise remove as a competent reference against the claims of the present application.

This Information Disclosure Statement is being filed more than three (3) months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.

Please debit Deposit Account No. 501860, Order No. 2540-0375 in the amount of \$180 in payment of the fee under 37 C.F.R. § 1.17(p). Please credit or debit the deposit account as needed to ensure consideration of the disclosed information.

CHARGE STATEMENT: Deposit Account No. 501860, order no. **2540-0375**.

The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached

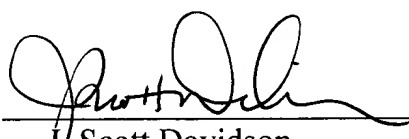
This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

CUSTOMER NUMBER

42624

Davidson Berquist Jackson & Gowdey LLP
4300 Wilson Blvd., 7th Floor,
Arlington Virginia 22203
Main: (703) 894-6400 • FAX: (703) 894-6430

Respectfully submitted,

By: 
Scott Davidson
Registration No. 33,489



**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

FORM PTO-1449 (modified)

Sheet 1 of 3

Application No.	09/727,466
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First Named Inventor	Winston J. Stewart et al.
Group Art Unit	2611
Examiner Name	TSE, Young Toi
Attorney Docket No.	2540-0375
Confirmation No.	7789

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No.	Document No.	Publication Date	Name of Patentee or Applicant of Cited Document
	1-1	4054910	10-18-1997	Wayne W. Chou et al.
	1-2	5276404	01-04-1994	Robert R. Asprey et al.
	1-3	5283789	02-01-1994	Gunnar Gunnarsson et al.
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	1-26			

Examiner
Signature

Date
Considered

*Examiner: Initial if reference was considered, whether or not citation is in conformance with MPEP 609. Draw a line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

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Sheet 2 of 3

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FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.	Document No.	Publication Date	Name of Patentee or Applicant of Cited Document	T ¹
	2-1	WO 94/30012	12/22/1994	John A. McDermott et al.	
	2-2				
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¹Translation provided.

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Sheet 3 of 3

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NON-PATENT REFERENCES

Examiner Initials*	Cite No.	Non-patent Reference bibliographic information, where available	T ¹
	3-1	Clearcube's Notice under 35 U.S.C. § 282, Avocent Huntsville Corp. v. Clearcube Technology, Inc., Civil Action No. 5:03-CV-02875-CLS, United States District Court for the Northern District of Alabama Northeastern Division, July 3, 2006.	
	3-2	D.E. Dodds et al., "Copper Access for Switched Video Services," Canadian Conference on Electrical and Computer Engineering Proceedings 2004, September 25-28, 2004, pages 522-525, ISBN: 0-7803-2416-1.	
	3-3	Expert Report of Gregg L. Vaughn, Ph.D., P.E., August 2, 2004.	
	3-4	Markman Order, Avocent Huntsville Corp. v. Clearcube Technology, Inc., Civil Action No. CV-03-S-2875-NE, United States District Court Northern District of Alabama Northeastern Division, March 15, 2006.	
	3-5	Supplemental Expert Report of Gregg L. Vaughn, Ph.D., P.E., April 24, 2006.	
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Examiner Signature		Date Considered	
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¹Translation provided.